

# CMJA NEWS

The Newsletter of the Commonwealth Magistrates' and Judges' Association

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April 2009

## EDITORIAL

The CMJA has been kept busy monitoring events and developments around the Commonwealth in relation to judicial independence and the rule of law. Of particular interest currently is Fiji and its continued failure to hold elections; Zimbabwe and the ongoing political and humanitarian problems it is facing; The Maldives which has a new President and is currently making progress on constitutional issues; Pakistan and the reinstatement of the Chief Justice Iftikar Chaudhry; Gambia and Gibraltar.

The Tribunal which considered the position of the Chief Justice of Gibraltar following his suspension from office in September 2007 produced their findings on 12 November 2008 having found:

*"that the conduct of Chief Justice Derek Schofield "repeatedly fell far short of what befitted the dignity of his office," including a tendency to "over-react to perceived slights." - Report in the Times (7/12/08)*

A copy of the 207 page document is available from the Secretariat by email, on request. The Tribunal's findings were passed to the Judicial Committee of the Privy Council.

The Privy Council were due to make a decision on the removal of the Chief Justice in January but this hearing has now been adjourned.

In the Gambia, at a swearing in ceremony, President Yahya Jammah stated that the state *"will be involved in the operation of the judiciary and that the state will interfere in the delivery of justice if it is believed that the courts decisions are against the states interest."* He went on to say that

western governments interfere with their justice system and that he is unconcerned about being branded a dictator.

Further to the Latimer House Colloquium, held in Edinburgh in July 2008, and the Edinburgh Plan of Action (EPoA) which was circulated with the November newsletter, a compendium of the relevant documents has now been published. This document brings together the Commonwealth (Latimer House) Principles on the Three Branches of Government, November 2003 including the original Latimer House Guidelines for the Commonwealth (1998); the Plan of Action for Africa, April 2005; and the Edinburgh Plan of Action, July 2008 in one booklet. It is a handy reference tool, as well as being a guide to implementation. We hope that you will find it useful. Further copies are available from the CMJA.

The CMJA will be celebrating its 40th anniversary next year and we would love to hear from our Readers who have interesting anecdotes about their experiences of the CMJA that would like to share these with the rest of the membership.

The Secretary General of the CMJA, Dr Karen Brewer will be representing the CMJA at the Commonwealth Law Conference being held in Hong Kong in April 2009 **"The Dynamics of Law in a Rapidly Changing World."** The CMJA will have a joint stand with the Commonwealth Lawyers Association (CLA) to promote the CMJA and its activities to delegates and will be encouraging participation in the CMJA's own Triennial Conference in Turks & Caicos (26 September – 3 October 2009). PLEASE REGISTER SOON FOR THIS EXCITING EVENT.

Since the last newsletter, the Commonwealth has celebrated two milestones, the first was the 60th anniversary of the signing of the Universal Declaration of Human Rights.

The second milestone is the 60th Anniversary of the Commonwealths inception (26 April 1949) which was marked at the Commonwealth Day Service at Westminster Abbey on 9 March 2009. The Queens speech is reproduced in this newsletter.

We are sad to inform you that our Council Member for England and Wales, Mrs Jean Hanson-Hills, has decided to step down from her role on Council, due to continued ill-health. She has contributed substantially to the activities of the CMJA since she joined and more recently in galvanising the interests of magistrates in England and Wales in the work of the Association. Council have resolved that Mrs Sybil Roach-Tennant will take her place until the General Assembly on 30 September.

The CMJA has welcomed two interns over the last six months from the Centre for Academic Programmes Abroad (CAPA). They are inordinately useful in helping with the running of the CMJA, in particular in relation to the

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monitoring of Judicial Independence across the Commonwealth.

Members will have received a copy of our Judicial Independence Survey. If you have not yet responded to the survey, please could you reply as soon as possible as we hope to publish the results in the next newsletter.

The CMJA relies on its membership paying their subscriptions in order to continue its activities to promote better standards and judicial independence around the Commonwealth. We would urge all outstanding Individual Members and Member Associations to pay their arrears as soon as possible. Please note, if you are not fully paid up, you will not be able to vote at the Regional Meetings or General Assembly, taking place on 28th September and 30 September respectively, in Turks and Caicos.

## DEVELOPMENTS

The CMJA has been watching 'hotspots' around the Commonwealth. It has focused in recent months on Fiji, the Maldives, Pakistan as well as monitoring the issues arising in Zimbabwe.

### FIJI

The CMJA continues to be concerned about developments in Fiji. Earlier this year, the interim Government refused to allow the International Bar Association (IBA) to send its mission to Fiji to monitor the situation. Despite this, the IBA has issued a report: "*Dire Straits: A report on the rule of law in Fiji*" which deplores the state of the rule of law as well as efforts to control the media, judiciary and legal profession. The report has a number of recommendations that the IBA aimed at the interim government and other players.

Following his removal from office in 2008, Chief Justice Fatiaki saw the charges against him dissolved as part of a settlement between him and the interim government which led to his resignation on 5 December 2008.

The IBA report suggests that "*There is no conclusion that can be drawn from the resolution of the suspension of the*

*Chief Justice that does not have serious negative implications for the rule of law in Fiji.*" The full report is available from the IBA website: [www.ibanet.org](http://www.ibanet.org)

The CMJA has received a copy of the judicial response to the IBA report.

In March the Commonwealth Ministerial Action Group (CMAG) deplored the continued contravention by Fiji of Commonwealth values and principles and as such decided that Fiji would remain suspended from the Councils of the Commonwealth and furthermore, if there is not sufficient progress consistent with the decisions in the Pacific Islands Forum Leaders' Communiqué (see below) then Fiji will be fully suspended from the Commonwealth at CMAG's next meeting in September 2009. CMAG had requested that the Secretary-General continues to engage with Fiji for the restoration and adherence to Commonwealth principles and values.

In response to the CMAG statement the Head of the interim regime, Commodore Frank Bainimarama, responded by stating that he welcomed the positives in the Commonwealth Ministerial Action Group's decision on Fiji, but emphasised that no election deadline could be set until certain prerequisites were resolved.

The Pacific Islands Leaders held a Special Retreat in Port Moresby in January 2009 to discuss Fiji. They issued a Communiqué which set out a number of actions that the interim Government of Fiji had to undertake to avoid the cessation of aid (other than assistance towards the restoration of democracy) and the suspension of Fiji from the Pacific Islands Forum. The Communiqué is reproduced below.

### FORUM LEADERS SPECIAL RETREAT COMMUNIQUÉ ON FIJI

PACIFIC ISLANDS FORUM SPECIAL LEADERS' RETREAT  
Port Moresby, Papua New Guinea  
27 January 2009

#### LEADERS' DECISIONS

Heads of State and Government of Australia, the Cook Islands, Kiribati, Nauru, New Zealand, Niue, Papua New Guinea, Samoa, Solomon Islands,

Tonga, Tuvalu and Vanuatu; and representatives of Federated States of Micronesia, Fiji and Palau; met in Port Moresby, Papua New Guinea on 27 January 2009 to discuss the situation in Fiji. Leaders noted the apologies received from the Republic of the Marshall Islands for its inability to attend due to circumstances beyond its control.

2. Leaders expressed their thanks to the Government and people of Papua New Guinea for their warm hospitality and generous hosting of the meeting, and the excellent arrangements made for the Retreat.

3. Leaders:

(a) Reiterated the condemnation expressed by them in the Niue Communiqué of the failure of the Fiji Interim Government to demonstrate the necessary political will to fulfil the undertaking made to Forum Leaders in 2007 that it would hold parliamentary elections by March 2009;

(b) Noted and acknowledged the steps taken by the Fiji Interim Government towards re-engagement with the Forum since the Leaders' Meeting in Niue, including the reconvening of the Forum-Fiji Joint Working Group, and the second visit of the Ministerial Contact Group; but expressed serious concern at the continuing lack of practical preparations for holding elections;

(c) Stated that more than two years of rule by an unelected military government, with no clear timetable for the return of constitutional government to the people, is not acceptable by international standards including those embraced by all Forum members and enshrined in the Biketawa Declaration, and emphasised the need to restore democracy without further delay;

(d) Reaffirmed that there are long-term issues that need to be addressed in Fiji, including through independent and inclusive political dialogue; but that such dialogue must be primarily focused on the holding of elections. The dialogue process should not be the cause for further delay in holding elections;

- (e) Called on the Interim Government to take the following actions to demonstrate its commitment to the restoration of parliamentary democracy in Fiji:
- (i) provide to Forum Leaders a new timetable agreed with all key political stakeholders, specifying in detail the agreed steps to elections and a return to democracy, and the timing for completing them, reflecting a consensus reached through a genuine, open, inclusive dialogue without threats, preconditions, ultimatums or predetermined outcomes;
  - (ii) make a clear commitment that any reforms agreed through political dialogue will be implemented in accordance with the Constitution and laws of Fiji;
  - (iii) undertake and sustain serious and credible election preparations, including allocation of necessary resources to the Office of the Supervisor of Elections, and the prompt preparation of the electoral roll; and
  - (iv) make a renewed commitment that the military will withdraw from civilian politics following such an election, return to barracks, and submit to the authority of the elected civilian government in accordance with the Constitution;
- (f) Agreed, subject to progressing the actions specified at sub-paragraph (e) above, to positively consider providing prompt financial and technical assistance to the President's Political Dialogue Forum; in recognition of the value of independent and inclusive dialogue as a long-term process to assist in resolving broader issues in Fiji. The specifics of such assistance would be determined in close consultation with the Commonwealth Secretariat and the United Nations;
- (g) Reaffirmed the ongoing readiness of Forum members to continue to assist Fiji with preparations for an election, and called on the relevant authorities in Fiji to cooperate fully with Forum members and other donors to expedite such assistance;
- (h) Agreed, in furtherance of Forum members' collective commitment to the fundamental principles enshrined in the Biketawa Declaration, to the imposition of "targeted measures" under paragraph 2(iv) of the Biketawa Declaration in relation to Fiji to take effect unless:
- (i) the Fiji Interim Government nominates an election date by 1 May 2009;
  - (ii) that election is held by the end of December 2009; and
  - (iii) the actions in paragraph (e) above are taken and publicly declared by 1 May 2009.
- (i) Agreed that such targeted measures will comprise the following:
- (i) suspension of participation by the Leader, Ministers and officials of the Fiji Interim Government in all Forum meetings and events; and
  - (ii) ineligibility of the Fiji Interim Government to benefit from Forum regional cooperation initiatives, and new financial and technical assistance, other than assistance toward the restoration of democracy under the framework of the Biketawa Declaration;
- (j) Agreed that the targeted measures, if imposed, will remain in place until such time as a democratically elected, civilian parliamentary government is restored in Fiji;

**WE LOOK FORWARD TO SEEING YOU IN TURKS & CAICOS FOR THE CMJA TRIENNIAL CONFERENCE**

**26 SEPTEMBER – 3 OCTOBER 2009**



## **“Justice for the Next Generation”**

**The Promotion and Protection of Judicial Independence  
And  
A Colloquium on the Child and the Law  
(jointly with UNICEF )**



- (k) Tasked the Ministerial Contact Group with continued monitoring of the Fiji situation, within the framework of Leaders' decisions, including in relation to the assessment of the Fiji Interim Government's compliance with subparagraph (e) above, and directed it to report further to Leaders as required and in any case before their 2009 annual meeting in Australia. Such reporting could, if necessary, recommend the partial relaxation of existing measures, or, alternatively, the adoption of further measures, which might include full suspension of Fiji's membership in the Forum; and
- (l) Called on the international community to support the measures outlined above by taking complementary actions to encourage the prompt restoration of elected constitutional government in Fiji.
4. Leaders considered that the timelines specified in these decisions are consistent with the position stated to Forum Leaders by the representative of the Fiji Interim Government on a timetable for the return to democracy.

*Port Moresby, Papua New Guinea  
27 January 2009*

## **MALDIVES**

The former President of Maldives, Maumoon Abdul Gaymoon, ratified a new constitution introducing a number of changes in August 2008. These changes included the reduction of executive powers that were vested under the President; the separation of powers; a Bill of Rights and changes to the electoral system including introducing a multiparty system and a more proportionate system of election – 5000 votes translating into 1 member in Parliament. Since then the Maldives have held a successful democratic election in which HE Mr. Mohamed Nasheed was elected President. Although there has been a change in leadership there are still steps that need to be taken to ensure to judicial independence in the Maldives.

The most ominous of these threats is the confusion about who should be responsible for the administration of

the courts. Both Parliament and the judiciary claim that the Department of Judicial Administration (DJA) should be under their control. Parliament believes that the DJA is run by the Judicial Service Commission (JSC) which is "an independent and impartial institution" as set down in the Constitution.

However, in December 2008 the Supreme Court abolished part of the Judicial Service Commission Act arguing that giving administrative authority to the JSC under the DJA including budgetary control gave too much power and influence to the JSC. By abolishing this section of the Act, the Supreme Court has transferred the DJA to the Supreme Court. The Ministry of Finance has ignored this ruling and allocated funds from the 2009 budget to the JSC for administrative purposes. As it stands currently the status of the Department of Judicial Administration is uncertain.

## **ZIMBABWE**

Readers will have followed the developments in the press regarding Zimbabwe over the last 6 months...enough to fill a newsletter on its own. The most important events are the power sharing agreement, the extension of the sanctions by the United States and the detention of opposition (MDC) supporters. The continued lack of judicial independence has been worrying.

The power sharing agreement between Zanu-PF and MDC was agreed in September 2008, but disagreement over cabinet positions meant that the new power sharing government with Robert Mugabe as President and Morgan Tsvangirai as Prime Minister was not sworn in until February 2009.

In March 2009 the United States extended sanctions on Zimbabwe, stating that the political situation in Zimbabwe remained unresolved. Morgan Tsvangirai, the Prime Minister, stated that there should be some recognition of the progress that has already been made with the formation and swearing-in of the power share government.

The continued detention of political opponents to Mugabe continues to threaten the power sharing agreement. Moran Tsvangirai has accused the Attorney-General of "willfully

obstructing" the process of releasing the detainees.

Commonwealth non-governmental associations have continued to galvanize action on Zimbabwe following the controversial elections in March 2008 and subsequent political unrest. The Commonwealth Secretary General has issued a number of Statements on Zimbabwe since coming into office. In July 2008, he condemned the violence that had erupted following the elections and in September welcomed the power sharing deal. These can be viewed at: [www.thecommonwealth.org](http://www.thecommonwealth.org)

The Royal Commonwealth Society, in London, has continued to coordinate the non-governmental response to Zimbabwe and Commonwealth associations are considering practical ways of assisting the return to democracy in Zimbabwe.

## **PAKISTAN**

On a more positive note, there was good news out of Pakistan. The suspended Chief Justice Iftikhar Muhammad Chaudhry was reinstated by President Zadari effective immediately upon the retirement of the current Chief Justice Abdul Hameed Dogar on March 21, 2009.

Chief Justice Chaudhry was suspended in March 2007 by General Musharraf, setting off a constitutional crisis. He was reinstated by the Supreme Court in July 2007, but was fired again four months later along with 60 other judges using emergency laws.

Over the past 2 years, lawyers and other activists have continued to push for Chaudhry's reinstatement, believing that was an essential step in ensuring the judiciary in Pakistan became and remained independent. There is consequently an enormous amount of pressure on Chaudhry to deliver an independent judiciary.

The people's response to the suspension of the judges and the Chief Justice was to protest continually, weakening Musharraf's hold on power and ultimately leading to his defeat in the elections. These were held on the 18 February 2008 and were won by the Pakistan Peoples Party, led by Mr. Zardari. The new government promised to ensure the judiciary was

independent but made no decision on reinstating the Chief Justice.

Mr. Zardari also frequently gave assurances to his coalition partner, Nawaz Sharif that he would reinstate the judges, but these had not materialized and Sharif left the coalition to join the opposition, continually pressing for the restoration of judges.

On 17 March 2009, Chief Justice Iftikhar Muhammad Chaudhry was finally reinstated, along with four other judges of the Supreme Court: Mr. Justice Javed Iqbal, Mr. Justice Khalil ur Rehman Ramday, Mr. Justice Raja Fayyaz Ahmad and Mr. Justice Ch. Ijaz Ahmad.

## COMMONWEALTH DAY

60

ON the 9th of March 2009, Commonwealth Day, the Commonwealth celebrated its 60th birthday with a service at

Westminster Abbey. It was an opportunity to reflect on the future of the Commonwealth and the path that it will take.

In his message the Secretary General of the Commonwealth, Kamalesh Sharma acknowledged the strength of the Commonwealth: *"it stands tall as an organization of shared values...it has been flexible and dynamic in meeting changing challenges...and sensitive to the needs of its smaller and weaker members."* He also acknowledged that the Commonwealth must look towards the future and once again *"be prescient in safeguarding and promoting the guarantors of the best hopes for its future: its young people."*

A Message from Her Majesty The Queen, Head of the Commonwealth *"This year the Commonwealth commemorates its foundation sixty years ago. The London Declaration of 1949 was the start of a new era in which our member countries committed themselves to work together, in partnership and as equals, towards a shared future."*

*We can rightly celebrate the fact that the founding members' vision of the future has become a reality. The Commonwealth has evolved out of all recognition from its beginning. It has helped give birth to modern nations, and the eight original countries have become fifty-three. We are now home to nearly two billion people: a third of the world's population. Across continents and oceans, we have come to represent all the rich diversity of humankind.*

*Yet despite its size and scale, the Commonwealth to me has been sustained during all this change by the continuity of our mutual values and goals. Our beliefs in freedom, democracy and human rights; equality and equity; development and prosperity mean as much today as they did more than half a century ago.*

*These values come from a common responsibility exercised by our governments and peoples. It is this which makes the Commonwealth a family of nations and peoples, at ease with being together. As a result, I believe we are inspired to do our best to meet people's most pressing needs, and to develop a truly global perspective. That is why the modern Commonwealth has stood the test of time.*

*But as we reflect upon our long association, we should recognize the*

*challenges that lie ahead. Nearly one billion people of today's Commonwealth are under 25 years of age. These are the people that this association must continue to serve in the future. It is they who can help shape the Commonwealth of today, and whose children will inherit the Commonwealth of tomorrow. To help them make the best of their opportunities, our young men and women therefore need the opportunity to become active and responsible members of the communities in which they live. I am pleased that the Commonwealth recognizes this, and is determined to continue to put young people at its centre.*

*The call that brought the Commonwealth together in 1949 remains the same today. Then we joined together in a collective spirit – built on lasting principles, wisdom, energy and creativity – to meet the great tasks of our times. As the Commonwealth celebrates its sixtieth birthday, its governments, communities and we as individuals should welcome that achievement. Together, we should continue to work hard to deal with today's challenges so that the young people of today's Commonwealth can realize their aspirations. In that way, we can look to the future with confidence."*

Elizabeth R  
9 March 2009

## 2009 Lawyers Cricket World Cup

**"Cricket for Friendship"**



Cambridge, England

26 July – 4 August 2009

**All welcome!**

For more information see:

<http://lawyerscricketworldcup.sports.officelive.com>

## 60TH ANNIVERSARY OF THE UDHR

10th December 2008 was the 60th anniversary of the signing and adoption of the Universal Declaration of Human Rights. This was celebrated by an event held at the Commonwealth Secretariat on that day and the release of "Human Rights in the Commonwealth: A Status Report". This document records the degree to which all Commonwealth states have signed up to the treaties that further established the range of rights first enshrined by the Declaration in 1948. It lists, for each Commonwealth country, participation in initiatives to further human rights, its stance on the death penalty and which core conventions have been ratified.

The Commonwealth Secretary General Kamallesh Sharma also delivered a message on the 60th Anniversary of the Universal Declaration of Human Rights. *"10 December 2008 marks 60 years since the Universal Declaration of Human Rights was adopted by the General Assembly of the United Nations. Commonwealth countries were involved in its drafting then, and they are involved in its implementation today."*

*The Declaration champions the links between human dignity and equal rights, and between freedom, justice and peace. As we in the modern Commonwealth seek to bring this vision of a life of dignity to our almost 2 billion people, there is so much of our work which sees the Declaration turned into the Deeds of the first decade of the 21st Century.*

*The Declaration enunciates so many of the principles at the heart of our Commonwealth democracy work. It spells out the right to be presumed innocent until proven guilty, and to participate in the government of one's country. It establishes the right to work, and the principle of equal pay for equal work.*

*It declares that 'All human beings are born free and equal in dignity and rights' – a principle at the heart of the Commonwealth. On this day I salute the continued relevance and vision of the Declaration, and commit our collective and individual*

*Commonwealth efforts to make real its aspirations."*

## LEGAL RIGHTS AND SOCIAL WRONGS



On 28 November 2009, Baroness Helena Kennedy QC spoke at a meeting organised by the SOPHIA Forum, the UK branch of the UNAIDS-led Global Coalition on Women and AIDS and co-sponsored by the CMJA and the Royal Commonwealth Society. The meeting was chaired by Dr Karen Brewer.

The theme of the talk was "Legal Rights and Social Wrongs" and Baroness Kennedy spoke about the human rights dimensions of HIV/AIDS in relation, in particular, to women and girls both in the UK and globally. According to the recent UNAIDS statistics for 2007 over 33 million people in the world are living with HIV/AIDS.

In particular there is growing concern about the increase in legislation worldwide criminalising HIV/AIDS transmission. Although initially conceived to "protect" women and girls, this legislation can impact negatively on women and girl-children, increasing marginalisation and violence and could deter women from accessing HIV prevention, care and treatment services.

In November 2007, the UNAIDS Secretariat and UNDP urged governments to limit criminalisation to "intentional" transmission. Whilst acknowledging that the use of criminalisation may be justified in these limited circumstances, they were concerned that going beyond these cases would increase the stigma attached to people already living with HIV/AIDS.

To quote, Justice Edwin Cameron of South Africa: *"Today one of the most pressing issues in the AIDS epidemic is the use of criminal statutes and criminal prosecutions against HIV transmission. Such laws are increasingly wide in their application and frightening in their effect. HIV is a*

*virus, not a crime. That fact is elementary, and all important. Too often law makers and prosecutors overlook it."* The International Planned Parenthood Federation has produced a report: "Verdict on a Virus" about the increase in criminalisation. This is available from: [www.ippf.org](http://www.ippf.org)

Baroness Kennedy called for further training and awareness of judicial officers of the human rights issues relating to HIV/AIDS.

## COMMONWEALTH WOMEN'S ANTARCTIC EXPEDITION (CWAE)



In early March, the Royal Commonwealth Society hosted the launch of the CWAE. Eight women from different regions of the Commonwealth (Cyprus, Ghana, India, Singapore, Brunei, New Zealand, Jamaica and the UK) will be

making the roughly 500 mile journey to the South Pole, aiming to arrive on New Year's Day 2009. They will have each pulled a sledge and equipment weighing nearly 100kg and will sleep in tents on the ice. Their supplies will consist of dehydrated ration packs and melted snow for water!

They will be making history by being the first group of Commonwealth women to journey to Antarctica, but their dream is much bigger. *"I hope that this spirit of indomitable adventure will inspire others, especially women, to strive towards the seemingly impossible."* Felicity Aston, UK, Team Leader.

The team invites you to join them in spirit on their website: [www.commonwealthexpedition.com](http://www.commonwealthexpedition.com)



## MEMBERSHIP OFFER ROYAL OVER-SEAS LEAGUE



The Royal Over-Seas League is offering a special scheme to members of the Commonwealth Magistrates' and Judges' Association under which they can

become members of the League at a specially reduced annual subscription, paying only 50% of the entrance fee, and without the need to provide a proposer and seconder.

With clubhouses in London and Edinburgh and over 80 reciprocal clubs around the world and a commitment to increasing mutual interest and understanding between nations and Commonwealth communities, the League provides a world-wide base and common link for its membership.

A quarterly journal "Overseas" is sent free of charge to all members and contains articles, information on discussion group evenings, and a comprehensive events programme.

The League's Royal Charter states that it should: promote the careers of young Commonwealth classical musicians, artists and writers; sponsor projects designed to assist those who are in need; publish journals; hold social events and lectures; and entertain public men and women. With a long history of Commonwealth friendship, new members can be assured of a very warm welcome.

Please contact the Membership Secretary for an application form or more information: Royal Over-Seas League, Over-Seas House, Park Place, St James's Street, London SW1A 1LR, UK. Tel: 020 7408 0214, Fax: 020 7499 6738. E-mail: [fvanicek@rosl.org.uk](mailto:fvanicek@rosl.org.uk).

## ON A LIGHTER NOTE

### MAGIC IN THE PACIFIC

The following was included in our Council Member for Kiribati's Christmas newsletter. The joys of case management!

On a hot afternoon in Aranuka I had three criminal appeals to hear. I took the appeals in numerical order, wrote a short ex tempore judgement in my bench book for each one as usual and then read it out, sentence by sentence for the interpreter to translate into Kiribati. I did this for each of the three cases and then adjourned the Court. Moments later I looked in the bench book and the second judgement had completely disappeared, in fact the third judgement now appeared where I had written the second! Later I reentered the second judgement from memory and the only trace of irregularity? The judgements are now out of numerical order.

Submitted by The Hon. Robin Millhouse, Kiribati.

## NEW MEMBERS

The CMJA is very pleased to welcome the following new members:

Justice Oludotun A. Adefope-Okojie  
NIGERIA

Mr Shamsul Arifeen  
ENGLAND & WALES

Mr Richard Craven  
UNITED KINGDOM

Ms Ruth Dass JP  
ENGLAND & WALES

Mr Anthony R. Ede  
ENGLAND & WALES

Judge Colin Greasley  
ENGLAND & WALES

Judge Yetunde O. Idowu  
NIGERIA

The Honourable Chief Justice David H. Jenkins  
CANADA

Hon. Justice Sylvester A. Kalembera  
MALAWI

Judge Deborah O. Oluwayemi  
NIGERIA

Hon Justice Taofiquat A. Oyekan-Abdullahi  
NIGERIA

Hon Justice Apotunde A. Phillips  
NIGERIA

Magistrate Joseph Pinder  
AUSTRALIA

Mr Prince Robert JP  
INDIA

Judge Anthony J. Spence  
CANADA

## DIARY OF EVENTS

Please contact the organisers of these conferences directly for further details:

### 26 July – 4 August 2009

Cambridge, England  
**2009 LAWYERS CRICKET WORLD CUP**

"Cricket for Friendship"  
<http://lawyerscricketworldcup.sports.of.ficelive.com/default.aspx>

### 23 – 26 August 2009

Halifax, Nova Scotia, Canada  
**5th World Congress on Family Law & Children's Rights**  
<http://www.lawrights.asn.au/>

### 26 September – 3 October 2009

Turks & Caicos Islands  
**CMJA TRIENNIAL CONFERENCE**  
"Justice for the Next Generation"  
[www.paragon-conventions.com/cmja2009](http://www.paragon-conventions.com/cmja2009)

### 26 – 30 October 2009

Sydney, Australia  
**International Organisation For Judicial Training (IOJT)**  
Justice Through Judicial Professional Development  
<http://iojtconference2009.com.au/Default.aspx>

Commonwealth Magistrates' & Judges' Association



# CMJA 2009

15<sup>th</sup> Triennial Conference

26 September - 3 October, 2009

Club Med Turkoise

Turks and Caicos Islands

[www.paragon-conventions.com/cmja2009](http://www.paragon-conventions.com/cmja2009)

**Book your flights and accommodation now  
to avoid disappointment!!**

## “Justice for the Next Generation”

The Promotion and Protection of Judicial Independence

together with

A Colloquium on the Law and the Child

(in conjunction with UNICEF )



unicef 